

186 Center Street Suite 290 Clinton, NJ 08809 (908) 735-9315 (908) 735-2132 FAX

October 15, 2018

**VIA ELECTRONIC & US MAIL** 

Ms. Diane Salkie
ATTN: Lower Passaic River Remedial Project Manager
Emergency and Remedial Response Division
U.S. EPA, Region 2
290 Broadway, 19th Floor
New York, New York 10007

Re: Monthly Progress Report No. 137 – September 2018
Lower Passaic River Study Area (LPRSA) Remedial Investigation/Feasibility Study
(RI/FS)
CERCLA Docket No. 02-2007-2009

Dear Ms. Salkie:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement. The CPG has revised this Progress Report to address the Region's direction in its September 1, 2015 letter about Section (d).

# (a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

## Meetings/Conference Calls

- On September 5, EPA Region 2 (Region 2) and CPG held a teleconference regarding the status of the proposed Upper 9-Mile Interim Action (IA).
- On September 13, Region 2 and CPG met to discuss status of the Upper 9-Mile IA.
- On September 19, Region 2 and CPG held a teleconference to discuss baseline monitoring for the Upper 9-Mile IA.

## Correspondence

- On September 4, CPG provided follow-up material to Region 2 requested during the August 30 Bioaccumulation Modeling teleconference.
- On September 5, CPG provided updated CFT model code and inputs to Region 2.

Ms. D. Salkie LPRSA RI/FS - Progress Report No. 137 – September 2018 October 15, 2018 Page 2 of 4

 On September 6, CPG and Region 2 exchanged emails regarding scheduling a meeting to discuss the Upper 9-Mile IA.

 On September 6 and 11, CPG and Region 2 exchanged emails regarding Draft 17-Mile Remedial Investigation (RI) Report Appendix G modeling partition coefficient estimates for secondary COPCs.

 On September 7, CPG submitted proposed language to Region 2 to address Comment 133 on the Draft 17-Mile Baseline Ecological Risk Assessment (BERA).

 On September 7, Region 2 provided approval to CPG of the responses to comments and revised January 15, 2014 Draft 2010 Small Forage Fish Tissue Chemistry Data Report for the Lower Passaic River Study Area.

 On September 11, Region 2 provided approval to CPG of the responses to comments and revised November 23. 2015 Draft 2009 Fish and Blue Crab Tissue Chemistry Data Report for the Lower Passaic River Study Area with one additional comment and indicated that the report should be finalized addressing this comment.

 On September 14 and 17, CPG and Region 2 exchanged emails to schedule a teleconference to discuss baseline monitoring for the Upper 9-Mile IA.

• On September 17, CPG delivered the August Monthly Progress Report to Region 2.

 On September 18, CPG provided clarification questions to Region 2 for the Tetra-Tech Report on the Geophysical, Bathymetric, Shoreline and Debris Surveys for the Lower 8.3 Miles of the Passaic River.

 On September 18, CPG and Region 2 exchanged emails to schedule a teleconference to discuss CPG's questions on the Tetra-Tech Report.

 On September 19, Region 2 provided response to comments (RTCs) to CPG on Sections 1 to 4 of the revised Draft 17-Mile RI Report.

 On September 20, Region 2 provided responses to CPG's RTCs on Sections 8 and 5 with Appendix F of the revised Draft 17-Mile RI Report.

 On September 21, Region 2 provided comments to CPG on the November 23, 2015 revised Draft 2011 Caged Bivalve Study Data Report for the Lower Passaic River Study Area.

 On September 24, Region 2 provided a date for a teleconference to discuss CPG's questions on Tetra-Tech's Lower 8.3 Mile Bathymetry Survey.

 On September 25, Region 2 provided comments to CPG on the August 26, 2013 Draft 2012 Benthic Invertebrate Community Reference Data Report for the Lower Passaic River Study Area.

 On September 25, Region 2 and CPG exchanged emails regarding alternative dates the week of October 17, 2018 to discuss CPG's questions on Tetra-Tech's Lower 8.3 Mile Bathymetry Survey.

 On September 25, Region 2 scheduled a teleconference on October 17 to discuss the Upper 9-Mile IA baseline monitoring.

 On September 27, Region 2 provided language to be inserted into the Draft 17-Mile BERA to address Region 2's Comments 133, 136, 147, and 148.

 On September 27 – 28, CPG and Region 2 exchanged emails regarding CPG clarification to response to RI Comment 101. Ms. D. Salkie LPRSA RI/FS - Progress Report No. 137 – September 2018 October 15, 2018 Page 3 of 4

#### Work

- CPG continued work to address Region 2's comments on the revised Draft 17-Mile RI Report and Model Appendices.
- CPG continued work to address Region 2's comments on Revision 2 of the Draft 17-Mile BERA.
- CPG continued work on calibration of the revised LPR/Newark Bay CFT Model.
- CPG continued work on revision and calibration of the LPR Bioaccumulation Model.
- CPG continued work on revision of Newark Bay Model documentation.
- CPG reviewed the Lower 8 Mile Bathymetry Survey Report and initiated preparation of a bathymetry QAPP addendum for the Upper 9-Miles.

### (b) Results of Sampling and Tests

None.

# (c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

- CPG will continue work on the revised Draft 17-Mile RI Report and Model Appendices in response to Region 2 comments. Appendix P (Bioaccumulation Modeling) has been partially revised, but additional work on calibration issues is required to complete the revision.
- CPG will continue work on Revision 2 of the Draft 17-Mile BERA in response to Region 2 comments.
- CPG will continue calibration of the revised LPR/Newark Bay CFT Model and continue to work with HDR to complete the calibration.
- CPG will continue revising and calibrating the LPR Bioaccumulation Model pursuant to Region 2 comments.
- CPG will continue work on Newark Bay Model documentation.
- CPG will continue discussions with Region 2 regarding comments on the Upper 9-Mile Interim Action.
- CPG will continue preparation of a bathymetry QAPP addendum for the Upper 9-Miles.

# (d) Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.

 Feasibility Study (FS) – Region 2, NJDEP and the CPG are currently discussing the refocus of the FS to an upper 9 miles Interim Action Ms. D. Salkie LPRSA RI/FS - Progress Report No. 137 – September 2018 October 15, 2018 Page 4 of 4

> Other Documents – Region 2 and CPG are working on finalizing the outstanding documents.

If you have any questions, please contact Rob Law or me at (908) 735-9315.

Very truly yours,

de maximis, inc.

Willard Potter

**CPG Project Coordinator** 

cc: Frances Zizila, EPA Region 2 Office of Regional Counsel

William Hyatt, CPG Coordinating Counsel

Lisa Baron, USACE

Clay Stern, USFWS

Reyhan Mehran, NOAA

Jay Nickerson, NJDEP

Beth Franklin, USACE

Laura Kelmar, AECOM

David Marabello, CDM-Smith

Scott Kirchner, CDM-Smith